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SUBJECT: ZIMBABWE TIP 2009 TIER 3 SHORT-TERM ACTION PLAN

¶1. This is an action cable: please see paragraph 4.

¶2. The 2009 Trafficking in Persons (TIP) Report carries policy and programmatic implications for those countries listed on Tier 3 (i.e. those countries whose governments do not fully comply with the minimum standards for the elimination of trafficking and are not making significant efforts to do so). Under the Trafficking Victims Protection Act of 2000, as amended, (TVPA) certain sanctions, effective October 1, 2009, may be imposed on Tier 3 countries. Sanctions may be avoided if, prior to the Presidential determination on sanctions, a country makes "significant efforts" to comply with the minimum standards and the Secretary determines that the country should be reassessed off of Tier 3.

¶3. The following statement is for Post's information only. If the Government of Zimbabwe completes the steps described below within 60 days of the TIP Report's release (by August 15, 2009) and, assuming that other efforts continue apace and there are no significant negative events related to human trafficking, G/TIP and AF will recommend to the Secretary that she make a determination that Zimbabwe has been found to meet the criteria for Tier 2 Watch List. If the Government of Zimbabwe were reassessed to Tier 2 Watch List, it would no longer be subject to sanctions. If the steps below are not completed, and Zimbabwe remains on Tier 3, the President has the option waive sanctions, either in full or in part, if he determines that doing so would promote the purposes of the TVPA or is otherwise in the national interest of the United States. (Note: the term "sanctions" is used herein to describe sanctions defined in the TVPA, including provision for directed voting in international financial institutions (IFIs)).

¶4. Action Request: Zimbabwe is listed as a Tier 3 Country in the 2009 TIP Report. Post is requested to approach the government to urge that it implement the following steps within the next 60 days. Department encourages Post to remind the government that, while these steps are critical in the next 60 days, continued significant efforts throughout the year will be key to next year's ranking.

¶5. Begin demarche/action plan:

The Secretary of State has determined that Zimbabwe neither fully complies with the minimum standards for the elimination of trafficking in persons, as set forth in U.S. law (the Trafficking Victims Protection Act, as amended), nor is it making significant efforts to comply with those standards. This places Zimbabwe on Tier 3. Within 60 days of the release of the Trafficking in Persons Report, the President must transmit to Congress sanctions determinations for countries on Tier 3; sanctions could include certain restrictions on USG foreign assistance; and negative USG votes on international financial institutions (IFIs).

During the next several months, the USG will work with the Government of Zimbabwe and foreign country missions most directly affected by trafficking to promote improvements in

combating trafficking in persons. Based on actions taken by Zimbabwe within 60 days of the Report's release, Zimbabwe could be determined to have made significant efforts to bring itself into compliance with the minimum standards if it undertakes significant actions against trafficking during this time frame.

Fulfillment of the following (or other similar) steps would constitute significant efforts:

-- Consider the feasibility of and show progress toward the development of a specific and comprehensive national law against human trafficking that includes both transnational and internal trafficking. The law should define trafficking, specify who can be considered a trafficker, and outline a punishment scheme for various trafficking acts. The process by which the law is developed should be consultative, and include input gained from broad consultations with relevant ministries and police agencies, civil society, human rights bodies, and international organizations that deal with issues relating to human trafficking.

-- Enhance the ability of police, other law enforcement entities, and social welfare officials to respond to the physical and psychological needs of trafficking victims by expanding formalized procedures for interviewing potential victims and transferring them to the care, when appropriate, of local NGOs or international organizations, and assuring eventual reintegration. To facilitate this sort of cooperation, seek out, learn about the work of, and establish partnerships with organizations working to protect children within the country in addition to current activities already taking place at Zimbabwe's major border crossings at Plumtree and Beitbridge. Ensure that police receive clear instructions regarding their specific roles and responsibilities to combat trafficking.

-- Expand current trafficking-related media reports into a nationwide awareness campaign aimed educating government officials and the general public about the nature of human trafficking. Publicize available resources for trafficking victims and populations vulnerable to trafficking. This could be carried out in a variety of locally appropriate ways. For example:

- a. Air brief informational spots on local radio stations;
- b. Support street dramas about TIP using youth groups;
- c. Government officials knowledgeable on TIP give press interviews or include discussions of trafficking and trafficking related issues in public appearances and speeches;
- d. Place opinion editorials (op eds) on trafficking in persons in local newspapers; or
- e. Publicize, where appropriate, trafficking-related court proceedings in local news media; or
- f. Encourage government-sponsored media including radio, television, and print to air anti-trafficking messages and advertisements free of charge.

End demarche/action plan.

16. Post's continued assistance and efforts in the fight to eliminate trafficking in persons are greatly appreciated.

CLINTON